



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/729,083	12/04/2003	Woo Seong Yoon	1630-0410PUS1	8790
2292 7590 04/16/2009 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER				
DANG, HUNG Q				
ART UNIT		PAPER NUMBER		
2621				
NOTIFICATION DATE		DELIVERY MODE		
04/16/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/729,083

Applicant(s)

YOON ET AL.

Examiner

Hung Q. Dang

Art Unit

2621

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- _____ Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- _____ Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Lamkin et al. (US 2002/0078144).

Regarding claim 1, Lamkin et al. disclose a method of reproducing an interactive recording medium in a reproducing apparatus ([0065]; [0068]; [0071]; [0094]), comprising the steps of: checking attribute information for auxiliary contents data of A/V data recorded on the interactive recording medium ([0129]; [0139]; [0152]); and determining a presentation method for the auxiliary contents data based on the attribute information and presenting the auxiliary contents data accordingly ([0095]; [0152]).

Regarding claim 2, Lamkin et al. also disclose the attribute information is included in playback control information for reproducing the auxiliary contents data in synchronization with the A/V data ([0095]; [0099]; [0104]; [0139]).

Regarding claim 3, Lamkin et al. also disclose the playback control information is provided to the reproducing apparatus by an external server ([0095]; [0099]; [0104]; [0182]).

Regarding claim 4, Lamkin et al. also disclose the playback control information is pre-recorded on the interactive recording medium ([0095]; [0099]; [0104]; [0139]).

Regarding claim 5, Lamkin et al. also disclose the auxiliary contents data is organized into one or more files ([0152]; [0154]; [0160]; [0163]; [0164]; [0173]; [0175]; [0178]).

Regarding claim 6, Lamkin et al. also disclose the attribute information is included in the names of the files containing the auxiliary contents data ([0152]; [0154]; [0160]; [0163]; [0164]; [0173]; [0175]; [0178] – *at least “html” extension corresponds to the “attribute information”*).

Regarding claim 7, Lamkin et al. also disclose the attribute information is included in meta tag information in the header area of the files containing the auxiliary contents data ([0152]).

Regarding claim 12, Lamkin et al. also disclose the auxiliary contents data is pre-recorded on the interactive recording medium or provided by an external server through a communication network ([0104]).

Regarding claim 13, wherein the determining and presenting step outputs the auxiliary contents data in conjunction with the A/V data reproduced from the interactive recording medium ([0068]; [0099]; [0104]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lamkin et al. (US 2002/0078144) as applied to claims 1-7 and 12-13 above, and further in view of Briscoe et al. (US Patent 7,216,149).

Regarding claim 8, see the teachings of Lamkin et al. as discussed in claim 5 above. Lamkin et al. also disclose auxiliary contents data can be image data presented in HTML format ([0099]). However, Lamkin et al. do not explicitly disclose the attribute information is included in tag information arbitrarily positioned within the files containing the auxiliary contents data as image tag information.

Briscoe et al. disclose the attribute information is included in tag information arbitrarily positioned within the HTML files containing the auxiliary contents data as image tag information (Fig. 2; column 7, lines 39-50).

One of ordinary skill in the art at the time the invention was made would have been motivated to incorporate the attribute information disclosed by Briscoe et al. into the method disclosed by Lamkin et al. in order to be compliant and compatible with existing HTML standard.

Regarding claim 9, Briscoe et al. also disclose the attribute information includes information indicating image types and/or aspect ratios for the auxiliary contents data (Fig. 2; column 7, lines 39-50).

Regarding claim 10, Briscoe et al. also disclose the image types indicate whether the images for presenting the auxiliary contents data are square or not (Fig. 2; column 7, lines 39-50 – *whether the images are square or not is indicated by the values of attributes WIDTH and HEIGHT*).

Regarding claim 11, Briscoe et al. also disclose the aspect ratios indicate whether the aspect ratios of the images for presenting the auxiliary contents data are either 4:3 or 16:9 ((Fig. 2; column 7, lines 39-50 – *whether the images are either 4:3 or 16:9 is indicated by the values of attributes WIDTH and HEIGHT*)).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571)270-1116. The examiner can normally be reached on IFT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI Q. TRAN can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hung Q Dang/
Examiner, Art Unit 2621

/ROBERT CHEVALIER/
Primary Examiner, Art Unit 2621
April 10, 2009.